

# **EXHIBIT 11**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

IN RE GOOGLE PLAY STORE  
ANTITRUST LITIGATION

Case No. 3:21-md-02981-JD

THIS DOCUMENT RELATES TO:

Epic Games Inc. v. Google LLC et al.,  
Case No. 3:20-cv-05671-JD

In re Google Play Consumer Antitrust  
Litigation, Case No. 3:20-cv-05761-JD

State of Utah et al. v. Google LLC et al.,  
Case No. 3:21-cv-05227-JD

Match Group, LLC, et al. v. Google LLC,  
et al., Case No. 3:22-cv-02746-JD

**EXPERT REPORT OF CATHERINE E. TUCKER**

**NOVEMBER 18, 2022**

463. In January 2018, Google reduced the fee on subscriptions older than a year to 15%, following an analogous move by Apple.<sup>889</sup> Amazon, like Apple, had announced a 15% service fee for subscriptions older than one year through its “Subscribe with Amazon” service in April 2017.<sup>890</sup> Internal Google documents show that when Google reduced its service fee for subscriptions older than one year to 15%, Google was also monitoring the fees charged by other competitors, including the Samsung Galaxy Store, ONE Store, Chinese app stores, non-app stores, and Amazon.<sup>891</sup> This reflects the competitive environment that Google faces. The Tadelis Report also acknowledges that this competitive monitoring was taking place, stating that “Google had internally debated whether or not to implement such a policy change after learning in May 2016 that Apple was considering announcing a price decrease on its own iOS platform for subscription-based products.”<sup>892</sup>

<sup>889</sup> Statt, Nick, “Google matches Apple by reducing Play Store fee for Android app subscriptions,” *The Verge*, October 19, 2017, available at: <https://www.theverge.com/2017/10/19/16502152/google-play-store-android-apple-app-store-subscription-revenue-cut> (“Google today announced that it will follow Apple’s lead in lowering the amount of money app developers must pay for mobile subscriptions processed through the Play Store. ... Similar to Apple’s approach, an Android developer selling a subscription service will be eligible for the cut so long as the customer in question has been subscribed for more than a year. The company plans to put it into effect starting January 2018.”); “Transaction fees,” *Play Console Help*, available at: <https://web.archive.org/web/20181110221253/>, accessed on November 18, 2018 as of November 3, 2022 (“As of January 1, 2018, the transaction fee for subscription products decreases to 15% for any subscribers you retain after 12 paid months.”); Google Presentation, “Subscriptions Revenue Share Change - Overview,” October 2017, GOOG-PLAY-000446626-635, at 627-628 (“30% for 12 months, 15% thereafter (vs. 30% indefinitely today) ... Mirrors Apple’s Subscription Revenue Share Terms mirrors Apple policy”); Google Presentation, “Play Subscriptions v2.0,” November 2016, GOOG-PLAY-000442440-511, at 445 (“Apple updated its policy and introduced new rev share terms ... 30% for first year; 15% thereafter.”).

<sup>890</sup> Google Presentation, “Subscriptions Revenue Share Change - Overview,” October 2017, GOOG-PLAY-000446626-635, at 633 (“Subscribe with Amazon ... 70/30 (1st year) 85/15 (13+ months)”); Perez, Sarah, “Amazon launches ‘Subscribe with Amazon,’ a marketplace for digital subscriptions,” *TechCrunch*, April 24, 2017, available at: <https://techcrunch.com/2017/04/24/amazon-launches-subscribe-with-amazon-a-marketplace-for-digital-subscriptions/>, (The commission structure is detailed on a page on Amazon’s site (see above), and mirrors the one used today by the Apple App Store. In the first year, Amazon takes a 30 percent cut of the subscription sales, which drops down to 15 percent after the one-year mark.”).

<sup>891</sup> Google Presentation, “Subscriptions Revenue Share Change - Overview,” October 2017, GOOG-PLAY-000446626-635, at 633.

<sup>892</sup> Tadelis Report, ¶ 63.

464. Apple’s “Small Business Program,” which took effect in January 2021 lowered the service fee to developers making less than \$1 million in total annual revenue from 30% to 15%.<sup>893</sup> Subsequently, starting in July 2021, Google reduced the service fee on in-app payments and paid downloads to 15% for developers’ first \$1 million of total earnings on digital goods and services in a given year.<sup>894</sup> Finally, starting in December 2021,<sup>895</sup> Amazon also started offering a program that charged a 20% service fee to developers making less than \$1 million in total yearly revenue.<sup>896</sup>
465. In October 2021, Google announced that, starting in 2022, the Google Play store’s service fee for all subscriptions (not only those older than one year) would be lowered from 30% to

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<sup>893</sup> “Apple announces App Store Small Business Program,” *Apple Newsroom*, November 18, 2020, available at: <https://www.apple.com/newsroom/2020/11/apple-announces-app-store-small-business-program/> (“New program reduces App Store commission to 15 percent for small businesses earning up to \$1 million per year ... Developers can qualify for the program and a reduced, 15 percent commission if they earned up to \$1 million in proceeds during the previous calendar year. ... The App Store Small Business Program ... will launch on January 1, 2021”); Bohn, Dieter, “The Apple App Store: A Brief History of Major Policy Changes,” *The Verge*, September 10, 2021, available at: <https://www.theverge.com/22667242/apple-app-store-major-policy-changes-history> (“Apple introduces the ‘App Store Small Business Program.’ Developers who make less than \$1 million per year were allowed to apply to join the program and have their cut reduced to 15 percent.”).

<sup>894</sup> “Changes to Google Play’s service fee in 2021,” *Play Console Help*, available at: <https://support.google.com/googleplay/android-developer/answer/10632485>, accessed on November 8, 2022 (“Starting July 1, 2021, the service fee for each developer will be 15% for the first \$1M (USD) of earnings you make each year when you sell digital goods or services.”); See also, Samat, Sameer, “Boosting developer success on Google Play,” *Android Developers Blog*, March 16, 2021, available at: <https://android-developers.googleblog.com/2021/03/boosting-dev-success.html> (“Starting on July 1, 2021 we are reducing the service fee Google Play receives when a developer sells digital goods or services to 15% for the first \$1M (USD) of revenue every developer earns each year.”).

<sup>895</sup> “Small business developers now earn more,” *Amazon Appstore*, Dec 28, 2021, available at: <https://developer.amazon.com/apps-and-games/blogs/2021/12/small-business-developers-now-earn-more>.

<sup>896</sup> In addition to a lower 20% service fee, Amazon’s “Appstore Small Business Accelerator Program” also includes “AWS promotional credits in an amount equivalent to 10 percent of revenue.” See, Chidambaram, Palanidaran, “Coming Soon: Amazon Appstore Small Business Accelerator Program,” *Amazon Appstore Blogs*, June 15, 2021, available at: <https://developer.amazon.com/blogs/appstore/post/93e89be7-1611-4764-8f97-f4eef0a7c0e0/coming-soon-amazon-appstore-small-business-accelerator-program>. See also, Hollister, Sean, “Amazon pulls an Apple by reducing its app store cut for some smaller developers,” *The Verge*, June 16, 2021, available at: <https://www.theverge.com/2021/6/16/22537726/amazon-app-store-cut-revenue-1-million-80-20-10> (“But where Apple and Google reduce their cut of a developer’s first \$1 million in revenue from 30 percent down to 15 percent, Amazon’s formula has a slight tweak: it’ll take a higher 20 percent of revenue, but give developers an additional 10 percent in ‘AWS promotional credits.’”).